

# RESIDENTIAL SHEDS

A building permit is required to construct detached accessory structures with a floor area exceeding 120 square feet, other than dwelling units and parking structures, in the rear and side yards of conventional detached single-family lots. Detached accessory structures are structures that are not attached to your house such as tool sheds, cabanas and similar structures. Different regulations may apply to lots with zero lot line homes, town houses or patio homes, as well as condominium and rental apartment units.

## **Home-based Businesses**

Accessory structures may not be used for business or other non-residential purposes.

## **Prefabricated Sheds**

The same regulations apply to prefabricated structures as to site-built structures.

**IMPORTANT: location and size restrictions apply to all sheds whether or not a permit is required.**

## **Setback, Size and Location Requirements**

An accessory structure must be at least 6 feet from the house or any other structure (although this may vary as indicated below). This setback is measured from the wall of one structure to the wall of the other.

Accessory structures may be placed less than 6 feet from the house or other structures when they are:

- Open-roofed structures such as trellises
- Structures with 120 square feet in floor area or less and 6 ½ feet high or less when they do not encroach in the required side yard setback that applies to the house. Check with Planning staff for the applicable setback. No structure less than 6 feet from another structure may block a door or window.
- Constructed with one-hour fire rating
- If house is not sprinklered, minimum 8 feet between main and accessory structure greater than 120 square feet and 6 ½ feet high.

Structures may not be located in front yards or within the street setback on corner lots.

An accessory structure must be a minimum of 3 feet measured from the wall to the property line, a 1/3 overhang of a structure allowed and may not cross the property line.

### *Exceptions:*

Accessory structures may be placed less than 3 feet from the property line **ONLY** when they are

- 6 ½ feet high or less **and**
- 120 square feet or less in floor area

A structure may never protrude over a property line. Any structure less than one foot from the property line must be designed not to drain over the property line with a roof sloping away from the property line or with gutters carrying runoff away from the property line.

### *Corner lots:*

The required distance from a property line along the street right-of-way depends on the precise zoning of your property. Check with Planning staff at (510) 494-4455 for the minimum distance.

*Height:* Accessory structures may be up to 12 feet high from grade. Outside the Hill Area, this refers to the maximum MEAN height (the midpoint between the roof peak and the top of the wall). Within the Hill Area, this refers to the maximum OVERALL height for the structure.

Up to 30% of the “required rear yard” may be occupied by accessory structures and/or room additions. The “required rear yard” is an area at the rear of your lot whose size is determined by your lot’s zoning. Planning staff can provide you with information on this requirement and how it applies. Please provide a plot plan of your lot for this type of inquiry.

*Planning Commission Review:* Planning Commission review is required for accessory structures over 600 square feet when they are in planned districts (P zoning) or in the Hill Area as defined by the Hillside Initiative of 2002. Check with Planning staff for information about how to apply.

*Easements:* Easements are restrictions which may prohibit building on portions of your property. Telephone and electric lines crossing your property will generally be located in easements. Other examples of easements are those placed to accommodate storm drainage and building restriction zones established around traces of the Hayward Fault.

It is your responsibility to indicate on your plot plan the presence of any easements. The most reliable way to know whether easements affect your lot is to consult a title report. Any easements recorded at the time your lot was created (after City incorporation in 1956) will also be shown on the tract map on file in the City of Fremont’s Engineering Division.

### **Getting a Permit**

To apply for your permit, bring your plans and documents to the Development Services Center for submittal. The applicant for a building permit must be the property owner or a licensed contractor. Permits may be required for electrical or plumbing work even if the accessory structure itself does not need a permit, please check with City Staff for more information. Plans for structures with less than 500 square feet in floor area may be reviewed by appointment over the counter. Contact the receptionist (see contact information) for an appointment.

Your plans should include the following:

- ☐ Plot plan
- ☐ Floor plan
- ☐ Elevation (front, side and rear views)
- ☐ Foundation and roofing plans
- ☐ Plumbing, electrical and mechanical details, if any
- ☐ Building structural details as required

Permanent foundations are required for structures exceeding 400 square feet in floor area. Contact the Building Inspector information line or the Development Services Center for more information.

### **Permit Fees**

Contact Building staff for an estimate of permit fees. The fees are based on the valuation of your project, that is, the total value of the materials and labor required.

### **For More Information:**

On setbacks, height, location and lot coverage, contact Planning at (510)494-4455 or [planinfo@fremont.gov](mailto:planinfo@fremont.gov)

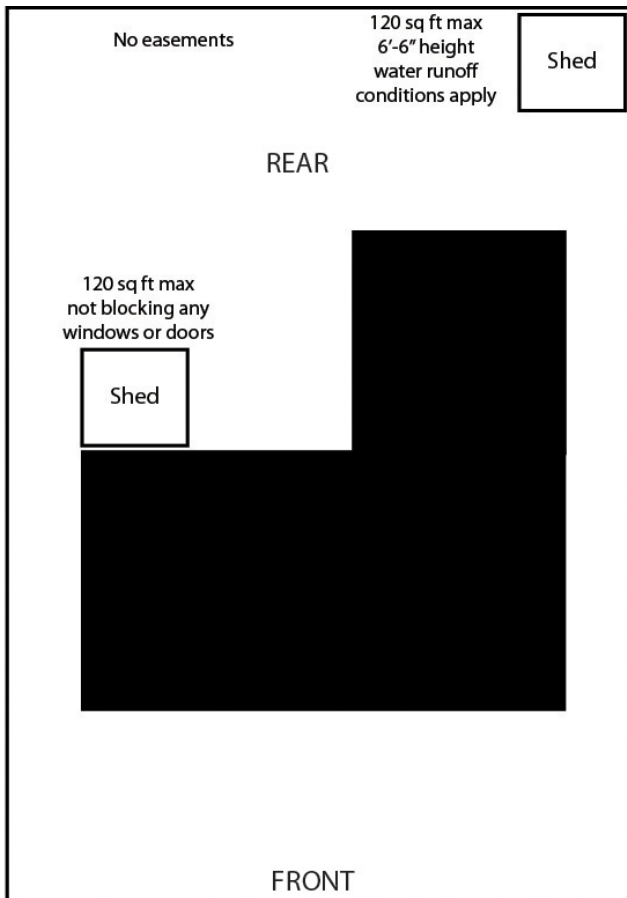
On inspections, contact the Inspection information line at (510)494-4427 or [bldginfo@fremont.gov](mailto:bldginfo@fremont.gov)

On permit procedures and fees, contact the Building Department at (510) 494-4460

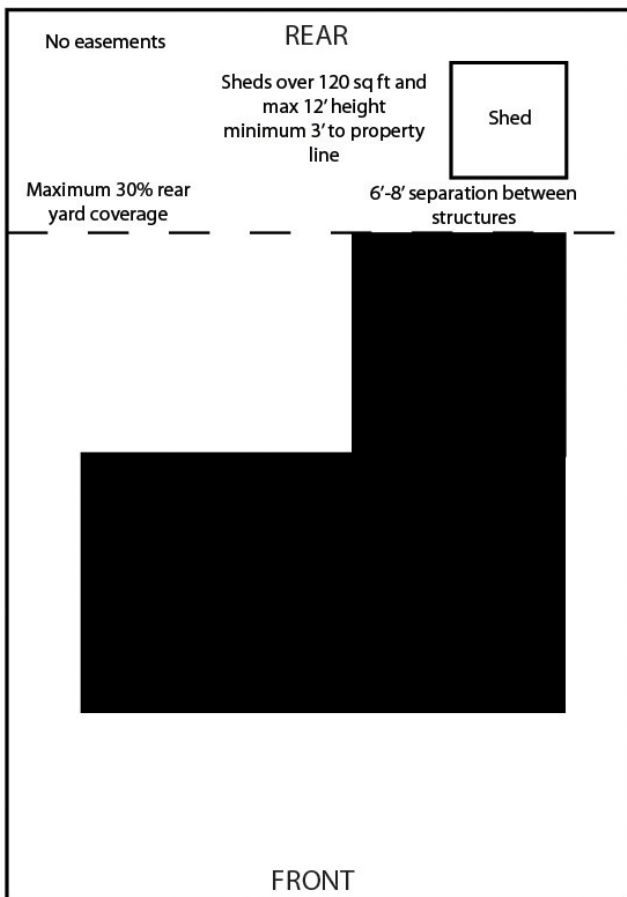
For an appointment, contact the Permit Center Receptionist at (510) 494-4443 or [DSC\\_Recep@fremont.gov](mailto:DSC_Recep@fremont.gov)

The Development Services Center office is located at 39550 Liberty Street, Fremont CA 94538

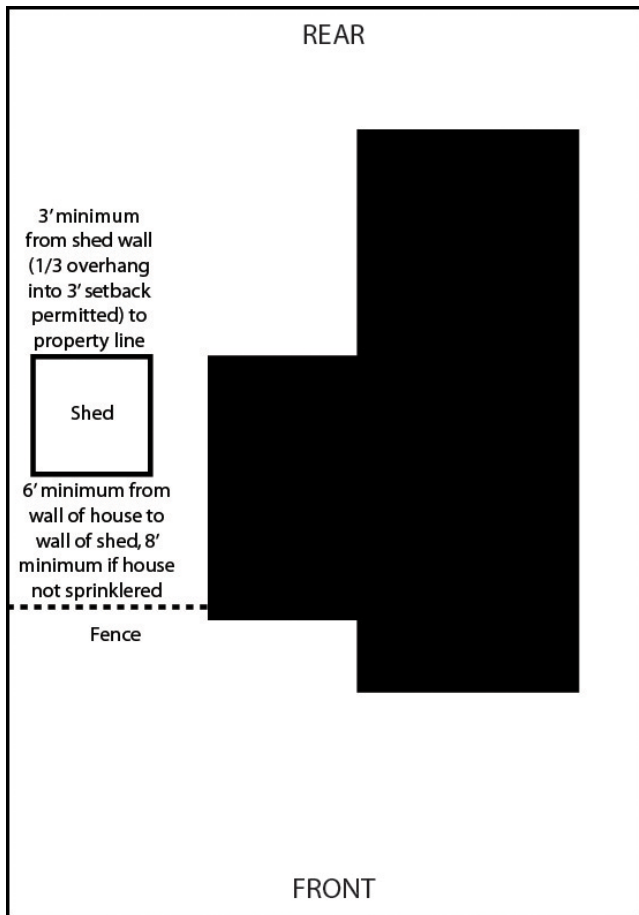
Office hours are 8:00 a.m. to 4:00 p.m. Monday –Thursday and 8:00 a.m. to 12:00 noon on Friday.



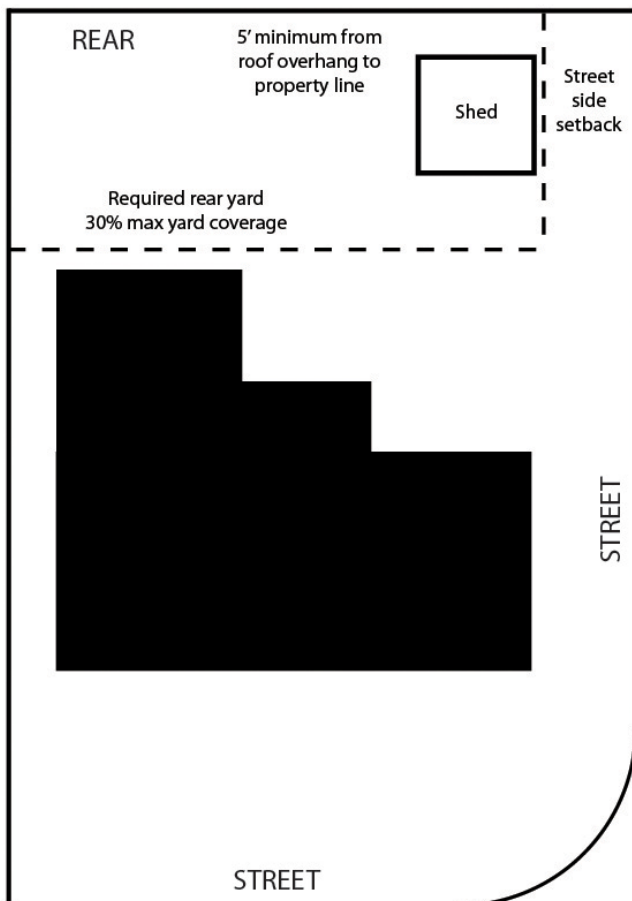
Accessory structures with open roofs or less than 120 sq. ft. and 6'-6" in height may be placed anywhere in the rear or interior side yards of the property except within easements. If placed within 1 foot of the property line the structure must be designed with gutters or roof slope to prevent water runoff from crossing the property line. If a detached accessory structure is placed less than 6' from the main structure it cannot block any windows or doors.



Accessory structures over 120 sq. ft. and a maximum of 12' in height may be placed as close as 3' to the property line and 6' to the main structure. Accessory structures over 120 sq. ft. must not exceed 30% of the required rear yard including any home additions and cannot be placed within an easement.



Accessory structures over 120 sq. ft. located within the interior side yard must be placed a minimum of 6' from the main structure measured from the wall of the house to the wall of the accessory structure. The roof overhang of the accessory structure may not be closer than 3' to the property line.



On a corner lot accessory structures may not be placed within the street side setback. Accessory structures over 120 sq. ft. must be placed at least 5' from the interior property line measured from the roof overhang. All other regulations pertaining to accessory structures over 120 sq. ft. apply.